

COMMONWEALTH OF MASSACHUSETTS
State Building Code (780 CMR) Appeals Board
Board's Ruling on Appeal¹

Docket No. 08-621

Appellant(s): Philip Sherman

vz. Appellee(s): City/Town of Northampton
Anthony Patillo

Procedural History

This matter came before the State Building Code Appeals Board ("Board") on the Appellant's appeal filed pursuant to 780 CMR 122.1. In accordance with 780 CMR 122.3, the Appellant requested that the Board grant him a variance from 780 CMR NFPA 13 8-1.1(1) and 8-14.1.1, for 100 Green Street, Northampton, MA. In accordance with GL c. 30A, §§10 & 11; GL c. 143, §100; 801 CMR 1.02 *et. seq.*; and 780 CMR 122.3.4, the Board convened a public hearing on August 26, 2008 where all interested parties were provided with an opportunity to testify and present evidence to the Board.

The Appellant appeared for the hearing *pro se*. Others were present as indicated on the sign-in sheet which is on file at the Department of Public Safety.

Discussion

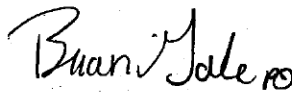
A motion was made to grant the Appellant's request for a variance from 780 CMR NFPA 13 8-1.1(1) and 8-14.1.1, based on the facts that an alternate fire protection approach per 780 CMR 903.2.1 was taken and that the alternate design was reviewed by a third party (letter on file from SFC Engineering Partnership, Inc., dated June 24, 2008), and the Northampton Building and Fire Departments and no objections were noted. There was a second on the motion and a board vote was taken, which was unanimous.

Conclusion

The Appellant's request for a variance from 780 CMR NFPA 13 8-1.1(1) and 8-14.1.1 is hereby granted and so ordered² on this date: August 26, 2008.



Jacob Nunnemacher



Brian Gale



Alexander MacLeod

¹ This is a concise version of the Board's decision. You may request a full written decision within 30 days of the date of this decision. Requests must be in writing and addressed to: Department of Public Safety, State Building Code Appeals Board, Program Coordinator, One Ashburton Place, Room 1301, Boston, MA 02108.

² In accordance with M.G.L. c. 30A, §14, any person aggrieved by this decision may appeal to the Superior Court within 30 days after the date of this decision.